



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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MOTIONS FOR FULL BOARD CONSIDERATION DENIED:  
February 15, 2018

CBCA 3350-R, 3672-R, 4658-R, 4659-R

YATES-DESBUILD JOINT VENTURE,

Appellant,

v.

DEPARTMENT OF STATE,

Respondent.

Douglas L. Patin and Thomas Lynch of Bradley Arant Boult Cummings LLP, Washington, DC, counsel for Appellant.

Thomas D. Dinackus, Office of the Legal Adviser, Buildings and Acquisitions, Department of State, Washington, DC, counsel for Respondent.

Before the Full Board.<sup>1</sup>

PER CURIAM.

On December 22, 2017, appellant, Yates-Desbuild Joint Venture (YDJV), filed a motion asking the full Board to vacate the reconsideration decision that the panel issued in these appeals on December 8, 2017, and to reconsider the panel's decision as it relates to YDJV's prior material breach argument. By order dated January 8, 2018, the Board notified

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<sup>1</sup> Judge Allan H. Goodman, who mediated disputes between the parties involving the project at issue before YDJV filed these appeals, abstained from this decision.

YDJV that the full Board would consider its motion on February 6, 2018. On February 2, 2018, YDJV filed a motion asking the full Board to delay consideration of its motion to vacate and for reconsideration until February 27, 2018.

Based upon a majority vote of the judges of the Board, YJDV's motion to delay consideration of its pending reconsideration motion is **DENIED**, and its motion to vacate and for full Board reconsideration is **DENIED**.